

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

**TONYA HOWARD and EBONY
JOHNSON, Each Individually and on
Behalf of All Others Similarly Situated**

PLAINTIFFS

vs.

No. 1:22-cv-2817-MSS

**TATE LEGACY INCORPORATED
and DARLENE TATE**

DEFENDANTS

**JOINT MOTION FOR REFERRAL TO
MAGISTRATE FOR SETTLEMENT CONFERENCE**

Plaintiffs Tonya Howard and Ebony Johnson (“Plaintiffs”), and Defendants Tate Legacy Incorporated and Darlene Tate, (“Defendants”), by and through their undersigned counsel, for their Joint Motion for Referral to Magistrate for Settlement Conference, state as follows:

1. On January 12, 2023, this Court granted Plaintiffs’ Unopposed Motion for Conditional Certification. See ECF No. 25.
2. The opt-in period closed on May 2, 2023, and no opt-ins have joined the case, meaning that this case is proceeding with Tonya Howard and Ebony Johnson as the only Plaintiffs. See ECF No. 28.
3. The Parties have engaged in some discovery and have preliminarily discussed settlement. Based on those discussions, the Parties believe they would benefit from a mediated settlement conference.
4. The Parties now hereby jointly move the Court to refer this case to the

magistrate judge for a settlement conference to be held at the magistrate judge's earliest convenience.

5. Furthermore, so that the Parties may attempt to resolve this matter at the settlement conference before incurring additional litigation costs, the Parties respectfully request that the discovery deadline be set 60 days after the Parties have been able to participate in a magistrate settlement conference.

WHEREFORE, the Parties respectfully pray that their Joint Motion for Referral to Magistrate for Settlement Conference be granted in its entirety, that this case be referred to the magistrate for a settlement conference, that the discovery deadline be set 60 days after the Parties have been able to participate in a magistrate settlement conference, and for all other relief the Court may find necessary or proper.

Respectfully submitted,

**TONYA HOWARD and EBONY
JOHNSON, Each Individually
and on Behalf of All Others
Similarly Situated, PLAINTIFFS**

SANFORD LAW FIRM
Kirkpatrick Plaza
10800 Financial Centre Pkwy, Suite 510
Little Rock, Arkansas 72211
Telephone: (800) 615-4946
Facsimile: (888) 787-2040

/s/ Colby Qualls
Colby Qualls
Ark. Bar No. 2019246
colby@sanfordlawfirm.com

/s/ Josh Sanford
Josh Sanford
Ark. Bar No. 2001037
josh@sanfordlawfirm.com

**and TATE LEGACY INCORPORATED
and DARLENE TATE**

SMITH ATTORNEYS GROUP AT
LAW P.C.
47 W. Polk Street, Suite 545
Chicago, Illinois 60605
Telephone: (708) 433-9138

/s/ Te D. Smith
Te D. Smith
NJ Bar No. 229812017
tsmith@saglawpc.com